FOSTER, SWIFT, COLLINS & SMITH, P.C. Attorneys at Law

ERIC E. DOSTER
Direct Phone 517.371.8241
Direct Fax 517.367.7341
Email educater@fosterswift.com

COMMISSION OFFICE OF GENERAL COUNSEL

2009 FEB -4 P 1: 12



Claretos, MI 48933-2193

CTR 517.371.4200

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January 22, 2009

By Certified Mail - Return Receipt Requested

Office of the General Counsel Federal Election Commission 999 E Street, N.W. Washington, D.C. 20463

Dear Sir/Madam:

Re:

Triangle Pride PAC

(Committee ID:

) and Steven Walker, Treasurer

MUR 6/69

Enclosed for filing please find the original and three (3) copies of the Complaint in the above-referenced matter.

If you have any questions, please contact me.

Sincerely,

FOSTER, SWIFT, COLLINS & SMITH, P.C.

**Eric Doster** 

ED:js

**Enclosures** 

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# MICHIGAN REPUBLICANS

SECCHIA-WEISER REPUBLICAN CENTER
520 SEYMOUR AVENUE • LANSING, MICHIGAN 48933
1-877-GOP-2006 (467-2006) • www.migop.org

S FEGERAL ELECTION COMMISSION OFFICE OF GENERAL COUNSEL

2009 FEB -4 ₱ 1: 12,

### BEFORE THE FEDERAL ELECTION COMMISSION

In the matter of:		
Triangle Pride PAC (Committee ID:)		1.10
and Steven Walker, Treasurer		MUR 6/69
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### **COMPLAINT**

NOW COMES Jeff Timmer, of 520 Seymour Avenue, Lansing, Michigan 48933, and hereby files this Complaint pursuant to 2 U.S.C. 437g(a)(1) and 11 C.F.R. § 111.4 against the Triangle Pride PAC, Steven Walker, Treasurer (hereinafter referred to as the "Respondent"), and states the following:

- 1. The Respondent is a separate segregated fund, registered under and operated pursuant to the Michigan Campaign Finance Act, Michigan Compiled Laws Section 169.201, et seq. See Exhibit 1, attached. The Respondent's current contact information is set forth on the cover page of Exhibit 2, attached.
- 2. Peters for Congress (Federal Election Commission Identification No. C00437889), Schauer for Congress (Federal Election Commission Identification No. C00438341) and Friends of Senator Carl Levin (Federal Election Commission Identification No. C00088484) are registered under and operated pursuant to the Federal Election Campaign Act, 2 U.S.C. § 431, et seq.
- 3. According to the Federal Election Commission in Advisory Opinion 2003-29 (November 25, 2003):

Under 2 U.S.C. 431(4)(B), a separate segregated fund is a political committee regardless of the amount of contributions or expenditures it makes. Cf. 2 U.S.C. 431(4)(A) (committees, clubs, associations, or other groups of persons become political committees when they make contributions aggregating in excess of \$1,000 per calendar year or make expenditures aggregating in excess of \$1,000 per calendar year). See Advisory Opinions 1983-3, 1982-46, and 1981-6; see also Explanation and Justification for 11 CFR 102.6, 45 Fed. Reg. 15084 (Mar. 7, 1980).

4. According to the Federal Election Commission in Advisory Opinion 1982-46 (July 29, 1982):

Paid for by Michigan Republican Party with regulated funds. Not authorized by any candidate or candidate's committee. 520 Seymour Avenue, Lansing, MI 48933 • www.migop.org Under the Act, the term "political committee" is defined to include any separate segregated fund, which in this case includes TMHA-CRG [NOTE: TMHA-CRG was a separate segregated fund registered with the Texas Secretary of State - the Respondent is a separate segregated fund registered with the Michigan Secretary of State] 2 U.S.C. 431(4)(B). Moreover, a separate segregated fund becomes a political committee under the Act regardless of the total amount of contributions it makes to Federal candidates or other Federal political committees. Compare 2 U.S.C. 431(4)(A), 431(4)(C), and 431(4)(B) and see Advisory Opinion 1981-6 (copy enclosed). Thus, the making of the contribution by TMHA-CRG to the Federal political committee triggers "political committee" status for TMHA-CRG under the Act.\*/ As a political committee TMHA-CRG is therefore required to register with the Commission within 10 days, and file periodic reports disclosing contributions made and received. See 2 U.S.C. 433(a) and 434(a)(4). Furthermore, the first report filed by TMHA-CRG must disclose amounts received prior to becoming a political committee, even if such amounts were not received during the current reporting period. 11 CFR 104,3(a) and 104.12.

- 5. On or about February 20, 2008, the Respondent made a \$100 contribution to Peters for Congress. See Exhibit 2 attached. On or about April 17, 2008, the Respondent made a \$500 contribution to Schauer for Congress. See Exhibit 2 attached. On or about May 13, 2008, the Respondent made a \$150 contribution to Friends of Senator Carl Levin. See Exhibit 3 attached.
- 6. Accordingly, because the Respondent, a separate segregated fund, made a contribution to Peters for Congress, Schauer for Congress, and Friends of Senator Carl Levin, the Respondent triggered "political committee" status pursuant to the Federal Election Campaign Act.
- 7. Once the Respondent triggered "political committee" pursuant to the Federal Election Campaign Act, the Respondent had ten (10) days (or by March 1, 2008) to file with the Federal Election Commission FEC Form 1 and register as a political committee. See 11 CFR § 102.1(c). Thereafter, the Respondent was required to comply with the Federal Election Campaign Act and the Federal Election Commission regulations. See, for example, Part 104 of the Federal Election Commission regulations.
- 8. Upon information and belief, to date, the Respondent has failed to register with the Federal Election Commission as a political committee or file any of the required campaign finance reports.

### REQUEST FOR RELIEF

Based on the foregoing, the undersigned respectfully requests that the Federal Election Commission investigate this violation and determine that the Respondent has violated the Federal Election Campaign Act and the regulations of the Federal Election Commission, as referenced above.

Further, the undersigned respectfully requests that the Federal Election Commission conduct a thorough review of the Respondent's records, and the records of Peters for Congress, Schauer for Congress, and Friends of Senstor Carl Levin, in order to determine whether the contributions made to these federal committees were derived from permissible sources pursuant to the Federal Election Campaign Act.

Further, the undersigned respectfully requests that the Federal Election Commission conduct a thorough review of the Respondent's records, in order to discover further violations of the Federal Election Campaign Act and the regulations of the Federal Election Commission.

Further, the undersigned respectfully requests the Federal Election Commission to assess all appropriate penalties for said violation(s) in accordance with 2 U.S.C. 437g(s)(5)(A), or any other enforcement provisions of the Federal Election Campaign Act.

The above statements are true and accurate to the best of my knowledge, information and belief.

Respectfully submitted,

Dated: January 71 . 2009

Subscribed and sworn before me this day of January, 2009.

Notary Public

Ingham County, Michigan

Acting in Ingham County, Michigan

My commission expires: 2

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### MICHIGAN DEPARTMENT OF STATE BUREAU OF ELECTIONS

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### MICHIGAN DEPARTMENT OF STATE BUREAU OF ELECTIONS

## ORIGINAL OR AMENDED STATEMENT OF ORGANIZATION FORM FOR INDEPENDENT AND POLITICAL COMMITTEES (PAC'S)

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Kevin Medifine Westen Medifine Westen Medifine Kevnetti.org	Ks M. alg - 9,16,04

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### INDEPENDENT/POLITICAL COMMITTEE COVER PAGE

		FOR OFFICIAL USE ONLY		
Report must be legible, typed or printed in ink and signed by the tressurer or designated record keeper.	3. This Statement covers From:01/01/2			
1. Committee I.D. Number	4. Committee's Mailing Address 19641 West Seven Mile			
512366-2				
2. Committee Name	Detroit MI 48219 Ares Code and Phone			
Triangle Pride PAC	If the address in this box is different from the o			
	Statement of Organization, mail may be sent to			
S. Treasurer's Name and Residential Address Steven. Walker				
Detroit Mt 48228				
Ares Code and Phone	Driver License & (Optional)			
6. Treasurer's Business Address	7. Designated Record Keeper's Name and Ma Designated Record Keeper) Susan Crocker 19841 W Seven Mile Rd	ling Address (if the committee has a		
Area Code and Phone	Detroit Mi 48219 Area Code and Phone	Driver License # (Optional)		
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SA. TRIANNIJAL STATEMENTS	(Coverage Year)	8g. AMENDMENT TO CAMPAIGN STATEMENT		
Even Year Odd Year	1 _ ` ` `	•		
CB April 25 CJ January 31	Se. PRE-ELECTION OR	(Complete Item 8s, 8b, 8c, 8d, 8e, 8f or 8h to indicate which Statement is being amended)		
☐ July 25 ☐ July 25	et. C POST-ELECTION	ah. 🗀 DIBBOLUTION OF COMMITTEE		
Cl Cotober 25 Cl Cotober 25	Pre-Election or Post-Election Statement relates to	Effective Date of Dissolution		
CAUCUS COMMITTEES (ONLY)	☐ PRIMARY ☐ GENERAL	Month Day Year		
☐ January 31 ☐ April 25	CONVENTION C SCHOOL	[ _		
□ July 25 □ October 25	☐ SPECIAL ☐ CAUCUS	By checking item att, I certify that the committee has no excets or outstanding		
	Date of Election, Convention or Caucus:	debts, including late filing fees. Make:		
ac. Special Election Independent Expenditure Report	Month Day Year	dicite, including late filing free. Motes: The disposition of residuel funds must be separted on Schedule 25 and the Summary Page.		
A committee that does not have a Reporting Welver must file all required Campaign Statements. The Campaign Statements must include all applicable Schedules. Direct contributions, in-kind contributions, losns, expenditures and outstanding debts count against the \$1,000 Reporting Welver threshold. If any of the Information listed in lisms 2, 4, 5, or 7 has changed since the information was shown on the committee's Statement of Organization, an emendment to the Statement of Organization should accompany this Campaign Statement. If a request for a Reporting Welver is not received on or before the filling deadline of a required company statement, that company estatement can not be unlocal.				
9. Verification: I certify that all reasonable difigence was used in the preparation of this statement and attached schedules (II any) and to the best of my knowledge and belief the contents are true, accurate and complete.				
Flectonically Ried:	-			
Current Treasurer or Designated Record Keeper Susan Crocker		Dele 04/20/2008		
Type of Print Name	Signature	Mo Day Year		



200042

# ITEMIZED DIRECT EXPENDITURES SCHEDULE 2B INDEPENDENT OR POLITICAL COMMITTEE

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1. Committee I.D. Number	512300-2
2. Committee Name Trian	gle Pride PAC

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5. Name and address of person or vendor to whom the expenditure was made	S. Candidate or Ballot Question Information	6. Date	7. Amount	8. Cumulative for Election or Election Cycle	
Expenditure # 1 Name League of Conservation Vote-	5Neme of Candidate	01/18/2008	250.00		
Address 213 W Liberty #300	Office Bought & District & or Jurisdiction				
Ann Arbor 4. Purpose: contribution	County				
Expanditure Code:DI	Ballot Proposal  Check box if supenditure is payment of Debt or Obligation reported on previous statement				
Expenditure # 2 Name Peters For Congress	5. Gary Poters Name of Candidate	02/20/2008	. 100.00	804.95	
Address PO box 226	Congressional 9 Office Sought & District # or Jurisdiction				7
Eleconfield Hills MI 48237 4. Purpose: contribution	County				
Expenditure Code:D}	Ballet Proposal  Check box if expenditure is payment of Debt or Obligation reported on previous statement				
Expenditure # 3 Name Chase Paymentech Solutions	5. Name of Candidate	02/29/2008	45.00		
PO Box 6600	Office Sought & District # or Jurisdiction			,	
Hagerstown MD 21741 4. Purpose: bank fee	County		ļ		
Expenditure Code:BK Fund Releer	Ballot Proposal  Check box if expenditure is payment of Debt or Obligation reported on previous statement				
Expenditure # 4 Name Dillon Leadership Fund	8Name of Candidate	03/13/2006	300.00		
Address PO bas 18101	Office Sought & District # or Jurisdiction				
Laneing Mi 48901 4. Purpose: contribution	County				
Expenditure Code:D	Beliot Proposal  Check box if expenditure is payment of Debt or Obligation reported on provious statement				
	Sub Grand Total of all (Complete on last pag		695.00		
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PLEASE REFER TO INSTRUCTIONS FOR LIST OF EXPENDITURE CODES

Enter this total On Line 8s of the Summery Page

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### **ITEMIZED DIRECT EXPENDITURES SCHEDULE 2B** INDEPENDENT OF POLITICAL COMMUTEE

ī. 2

1. Committee 1.D. Number	512300-2
2. Committee Name Trian	gle Pride PAC

S. Name and address of person or vandor to whom the expenditure was made	5. Candidate or Beliot Question Information	6. Date	7. Amount	8. Cumulative for Election or Election Cycle
Expenditure # 6 Name Lee Gonzalee Team Addrese 2460 Murphy Rd Filint MI 48504 4. Purpose:	8. Lee Gonzales Nume of Candidate  State Representative 49 Office Sought & District & or Jurisdiction GENESEE County  Ballot Proposal Check box if expanditure is payment of Debt or Obligation reported on previous statement.	03/13/2008	100.00	180.00
Expenditure # 6 Name Schauer for Congress  Address PO Box 100  Battle Creek MI 49016  4. Purpose: confribution  Expenditure Code: DI Fund Raiser	S. Mark Schauer  Name of Candidate  Congressional 7  Office Sought & District # or Jurisdiction  County  Ballot Proposal  Check box if supercliture is payment of Debt or Obligation reported on previous statement	04/17/2008	500.00	500.00
	Sut Grand Total of al (Complete on faut pag		600.00 1295.00	<b>-</b> 1

PLEASE REFER TO INSTRUCTIONS FOR LIST OF EXPENDITURE CODES

Enter this total On Line Se of the Summary Page

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Authority granted under P.A. 388 of 1976

CFR Rev 7/1990pac28



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## INDEPENDENT/POLITICAL COMMITTEE COVER PAGE

	FOR OFFICIAL USE ONLY			
Report must be legible, typed or printed in ink and signed by the treasurer or designated record keeper.	3. This Statement covers From:04/21/2	•••••••••••••••••••••••••••••••••••••••		
1. Committee I.D. Number	4. Committee's Mailing Address 19841 West Seven Mile			
512309-2		•		
2. Committee Name	Detroit MI 48219 Area Code and Phone			
Triangle Pride PAC	If the address in this box is different from the co Statement of Organization, mail may be sent to			
5. Tressurer's Name and Residential Address Steven Walker				
Delroit M1 48228 Area Code and Phone	Driver License # (Optional)			
6. Treasurer's Business Address	7. Designated Record Keeper's Name and Mei Designated Record Keeper) Susan Crooker 19841 W Seven Mile Rd	ling Address (if the committee has a		
Area Code and Phone	Detroit MI 48219 Area Code and Phone	Driver License # (Optional)		
8. TYPE OF STATEMENT:	APPLICABLE TO INDEPENDENT AND	APPLICABLE TO INDEPENDENT AND		
APPLICABLE TO INDEPENDENT AND POLITICAL COMMITTEES REGISTERED ON STATE LEVEL	APPLICABLE TO INDEPENDENT AND POLITICAL COMMITTEES REGISTERED ON COUNTY LEVEL	POLITICAL COMMITTEES REGISTERED ON STATE AND COUNTY LEVEL		
Se. TRIANNUAL STATEMENTS	80. LI ANNUAL STATEMENT			
Even Year Odd Year	(Coverage Year)	STATEMENT		
April 25 January 31	80. PRE-ELECTION OR	(Complete Hern Sa, Sb, Sc, Sd, Se, Sf or Sh to indicate which Statement is being extended)		
21 July 25 🔲 July 25	84. D POST-ELECTION	en.  Dissolution of Committee		
Cotaber 25 Cotober 25	Pre-Election or Post-Election Statement relates to:	Ellective Date of Classicition		
8b. <u>QUARTERLY STATEMENTS</u> CAUCUS COMMITTEES (ONLY)	☐ PRIMARY ☐ GENERAL	Month Dily Year		
🚺 January 51 🚺 April 25	☐ CONVENTION ☐ SCHOOL ☐ CAUCUS	The characters from the Laurette first fire		
🗓 July 25 🗓 October 25		committee has no essets or butstanding debts, including lets films has. Moto:		
8c. (1 SPECIAL ELECTION INDEPENDENT EXPENDITURE REPORT	Date of Election, Convention or Caucus:	By checking item 8h, I certily that the committee has no engets or outstanding dista, including late titing fees. Make: The deposition of reachald funds must be reported on Schedule 25 and the Summary Page.		
A committee that does not have a Reporting Waiver must the all required Campaign Statements. The Campaign Statements must include all applicable Schedules. Direct contributions, in-kind contributions, loans, expenditures and outstanding dabts count against the \$1,000 Reporting Waiver threshold. If any of the information listed in items 2, 4, 5, 6, cr 7 has changed since the information was shown on the committee's Statement of Organization, an amendment to the Statement of Organization should eccompany this Compalign Statement. If a request for a Reporting Waiver is not received on or before the filling deadline of a required compalign statement, that compalign statement can not be united.				
9. Verification: I certify that all reasonable diligence was used in the preparation of this statement and attached schedules (if any) and to the best of my knowledge and belief the contents are true, accurate and complete.				
Electronically Fited: Current Tressurer or				
Current Tredeurer or Designated Record Keeper <u>Sunan Crooker</u> Type of Print Name	Signature Signature	Date		



# (TEMIZED DIRECT EXPENDITURES SCHEDULE 28 INDEPENDENT OR POLITICAL COMMITTEE

•. :

. Committee I.D. Number	512366-2
Committee Alema Trice	ode Dalde DAC

3. Name and address of person or vendor to whom the expenditure was made	5. Candidate or Ballot Question information	6. Date	7. Amount	8. Cumulative for Election or Election Cycle	
Expenditure # 1 Neme Carl Levin, Friends of Sena- tor Address 28115 Greenfield Rd	5. Carl Levin Name of Candidate U.S. Senate Office Sought & District # or Jurisdiction	05/13/2008	150.00	150.00	
Southfield MI 48076 4. Purpose: contribution	County				
Expenditure Code:D  Fund Releer	Belief Proposel  Check box if expenditure is payment of Debt or Obligation reported on previous statement				
Expenditure # 2 Name Marie Donigan,Committee to El	8. Marie Donigan Name of Candidate State Regressitative	05/13/2008	200.00	200.00	
Address 503 s Poplar Ave Royal Oak MI 48073	Office Sought & District # or Jurisdiction CAKLAND	i			
4. Purpose: contribution  Expenditure Code: DI	Gounty  Bellot Proposal			,	
Fund Relear	Check box if expenditure is payment of Debt or Obligation reported on previous statement				l
Expenditure # 3 Name Chase Paymentech Solutions	8Neme of Contribute	05/31/2008	45.00		
Address PO Box 6500	Office Sought & District # or Jurisdiction				
Hagerstown MD 21741 4. Purpose: bank fee	County				
Expanditure Code:BK	Beliet Proposal Check box if expenditure is payment of Debt or Obligation reported on previous statement				
Expenditure # 4 Name Chase Paymentech Solutions	S. Name of Candidate	06/30/2009	45.00		
Address PO Box 6600	Office Sought & District # or Jurisdiction			}	
Hegerstown MD 21741 4. Purpose: bank fee	County				
Expenditure Code:BK Fund Relear	Beliot Proposal  Check box II expenditure is payment of Debt or Obligation reported on provious statement				
	Sub Grand Total of all (Complete on leat pag		440.00	1	

PLEASE REPER TO INSTRUCTIONS FOR LIST OF EXPENDITURE CODES

Enter this total On Line &s of the Summary Page